

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

HB 341

January 28, 2021

SUMMARY OF BILL: Expands the definition of sexual offense for the purpose of evaluation and treatment of a sex offender.

ESTIMATED FISCAL IMPACT:

Increase State Expenditures – \$23,800/FY21-22 and Subsequent Years

Assumptions:

- The proposed legislation expands the definition of sex offense to include the following:
 - Trafficking for commercial sex act;
 - Patronizing prostitution from a person who is younger than 18 years of age or has an intellectual disability;
 - Promoting prostitution of a minor;
 - Criminal attempt, conspiracy, or solicitation to commit such offenses; or
 - Criminal responsibility for the facility of any such felony offense.
- Based on information provided by the Department of Correction, the average number of admissions for such offenses each year over the last five years is nine.
- Pursuant to Tenn. Code Ann. § 39-13-705, each sex offender who is considered for probation, any other alternating sentencing, or who is found guilty at trial or pled guilty without an agreement as to the length of sentence, probation, or alternate sentencing is required to submit to an evaluation for treatment, risk potential, procedures required for monitoring of behavior. Payment of the evaluation and plan of treatment or behavior management are at the expense of the offender, based on his or her ability to pay.
- This analysis estimates 80 percent of admissions would be indigent.
- This analysis estimates the cost for offenders to undergo psychosexual evaluations, group therapy, and other treatment as directed by the Tennessee Sex Offender Treatment Board to be \$3,300 per offender.
- The Sex Offender Treatment Fund will require an additional appropriation from the General Fund.
- The recurring increase in state expenditures from the General Fund in FY21-22 and subsequent years resulting from the proposed legislation is estimated to be \$23,760 [(9 x 80%) x \$3,300].

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Bojan Savic". The signature is written in a cursive, flowing style.

Bojan Savic, Interim Executive Director

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